

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
MIDLAND-ODESSA DIVISION**

RESONANT SYSTEMS, INC., d/b/a
RevelHMI,

Plaintiff,

v.

APPLE INC.,

Defendants.

Case No. 7:23-cv-000077-DC



**DECLARATION OF CHRISTIAN W. CONKLE IN SUPPORT OF PLAINTIFF
REVELHMI'S OPPOSITION TO APPLE'S MOTION TO COMPEL ARBITRATION**

I, Christian W. Conkle, declare and state as follows:

1. I am a member of the State Bar of California and an attorney at the firm of Russ August & Kabat, counsel of record for Plaintiff Resonant Systems, Inc. d/b/a/ RevelHMI in the above-captioned action. I submit this declaration in support of Plaintiff's Opposition to Apple's Motion to Compel Arbitration. I have personal knowledge of the facts set forth herein, and if called upon to testify, could and would testify competently thereto.

2. On December 4, 2024, I participated in a teleconference with counsel for Apple. The other speakers were Jacob Buczko of Russ, August & Kabat and Mike Amon and James Yang of Fish & Richardson. During that teleconference, Mr. Amon mentioned that several of Resonant's 30(b)(6) deposition topics involved presuit communications between Resonant and Apple. I immediately stated that because of Resonant was not seeking and would not seek deposition testimony related to

In my December 25, 2024 email to Mr. Yang (attached as exhibit 10 to Apple's motion), I was referring to that same statement when I wrote: "I specifically told you during our Dec. 4 call that Resonant is not seeking 30(b)(6) testimony in any way related to

3. Attached as **Exhibit A (under seal)** is a true and correct copy of excerpts of the deposition transcript of [REDACTED], an Apple witness. I was the questioning attorney for these excerpts.

4. Attached as **Exhibit B (under seal)** is a true and correct copy of excerpts of the deposition transcript of [REDACTED], an Apple witness. I was the questioning attorney for these excerpts.

5. Attached as **Exhibit C (under seal)** is a true and correct copy of excerpts of the deposition transcript of [REDACTED], an Apple witness. I was the questioning attorney for these excerpts.

6. Attached as **Exhibit D** is a true and correct copy of Apple's First Supplemental Initial Disclosures. I retrieved this from our firm's document management system. The proof of service states that it was served on October 18, 2024, which is consistent with the timestamp in our system.

I declare under penalty of perjury pursuant to the laws of the United States that the foregoing is true and correct.

Executed on February 5, 2025 in Los Angeles, California.

/s/ Christian W. Conkle
Christian W. Conkle